

Section 21 - MINNESOTA ADDENDUM

21-1. Equal Employment Opportunity

Innowave Marketing Group is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, familial status, military service and veteran status, physical or mental disability, genetic information, public assistance, local human rights commission activity, or any other characteristic protected by applicable federal, state or local laws and ordinances. Innowave Marketing Group's management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs and general treatment during employment.

Innowave Marketing Group will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's: physical or mental disability; sincerely held religious beliefs and practices; and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon Innowave Marketing Group's business operations. Any applicant or employee who needs an accommodation in order to perform the essential functions of the job should contact Human Resources hr@innwavemarketing.com to request such an accommodation. The individual should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. Innowave Marketing Group then will review and analyze the request, including engaging in an interactive process with the individual, to identify if such an accommodation can be made. Innowave Marketing Group will evaluate requested accommodations, and as appropriate identify other possible accommodations, if any. The individual will be notified of Innowave Marketing Group's decision regarding the request within a reasonable period. Innowave Marketing Group treats all medical information submitted as part of the accommodation process in a confidential manner.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of Human Resources hr@innwavemarketing.com. Innowave Marketing Group will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact Human Resources hr@innwavemarketing.com. To ensure the workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

21-2. Pregnancy Accommodations

Under Minnesota law, Innowave Marketing Group will endeavor to provide employees a reasonable accommodation for health conditions related to pregnancy or childbirth, unless doing so would impose an undue hardship on the business operation of Innowave Marketing Group.

The employee and Innowave Marketing Group will engage in an interactive process to determine what

accommodations may be needed.

The pregnant employee will not be required to obtain the advice of a licensed health care provider or certified doula, nor will Innovave Marketing Group claim an undue hardship for the following accommodations:

- more frequent restroom breaks;
- more frequent food and water breaks;
- seating; and
- limits on lifting over 20 pounds.

Innovave Marketing Group may request medical certification from the employee's licensed health care provider or certified doula for other reasonable accommodations, including temporary transfer to a less strenuous or hazardous position.

Innovave Marketing Group is not required to create a new or additional position to accommodate the employee, nor is Innovave Marketing Group required to discharge any employee, transfer any other employee with greater seniority or promote any employee.

Innovave Marketing Group will not retaliate against the employee for requesting or obtaining a pregnancy accommodation under the law. Furthermore, Innovave Marketing Group will not require the employee to take a leave or accept an accommodation.

Any employee who has questions about this policy or who needs to request a reasonable accommodation should contact the Employee's Manager.

21-3. Right To Review Personnel Records

Under Minnesota law, active employees have the right to review their personnel record once every six (6) months. Employees who leave Innovave Marketing Group may review their personnel record once every year as long as Innovave Marketing Group maintains the personnel record.

To review their personnel record, employees must make a good faith request in writing to Human Resources hr@innwavemarketing.com. Employees may also request a copy of the record at the time they review it. The copy will be made available to the employee at no cost.

Innovave Marketing Group will provide employees an opportunity to review their personnel record within seven (7) working days of the written request or within 14 working days of the written request if the personnel record is physically located outside of Minnesota.

What is contained in the personnel record is carefully defined under Minnesota law. The law does not require employee access to information that is not contained in the personnel record.

If employees dispute information contained in their personnel record, they may request that it be removed from the record. However, if Innovave Marketing Group does not agree the information should be removed, the employee may submit a written response to the denial (not to exceed five (5) pages).

No action can be taken against employees who appropriately ask to review their personnel records.

If employees are improperly denied their rights as provided by this law, the law provides certain remedies.

This notice only describes some of the employee's rights under the law. For more information, the Minnesota statutes detailing employee rights can be found at Minnesota Statutes. § 181.960 through Minnesota Statutes §181.965. These laws can be found on the internet at <https://www.revisor.mn.gov/pubs/> or in public libraries throughout the state.

21-4. Wage Disclosure Protections

Under Minnesota law, an employer may not:

1. require nondisclosure by employees of their wages as a condition of employment;
2. require employees to sign a waiver or other document which purports to deny them the right to disclose their wages; or
3. take any adverse employment action against employees for disclosing their own wages or discussing another employee's wages which have been disclosed voluntarily.

Nonetheless, this policy should not be construed to:

1. create an obligation on Innowave Marketing Group or on employees to disclose wages;
2. permit employees, without the written consent of Innowave Marketing Group, to disclose proprietary information, trade secret information or information that is otherwise subject to legal privilege or protected by law;
3. diminish any existing rights under the National Labor Relations Act; or
4. permit employees to disclose wage information of other employees to a competitor of Innowave Marketing Group.

An employer may not retaliate against the employee for asserting rights or remedies set forth in this policy.

Employees may bring a civil action against Innowave Marketing Group for a violation of this policy. If a court finds that Innowave Marketing Group has violated this policy, the court may order reinstatement, back pay, restoration of lost service credits, if appropriate, and the expungement of any related adverse records of the employee who was the subject of the violation.

21-5. Sick Days

Full-time employees are eligible to receive up to six (6) paid sick days each year.

If the employees will be out of work due to illness, they must call in and notify their supervisor as early as possible, but at least by the start of the workday. If the employees call in sick for three (3) or more consecutive days, they may be required to provide their supervisor with a doctor's note on the day they return to work.

Sick days must be taken during the year they are received. Accrued, unused sick time cannot be carried over from one year into the next and is not paid out at separation.

Sick days must be used in at least half-day increments.

While sick days are intended to cover only the employee's own illnesses, sick days may be used to care for a family member's (including the employee's minor child and those attending school up to age 20, the employee's own spouse, sibling, parent, mother-in-law, father-in-law, grandchild, grandparent and stepparent for such reasonable periods as may be necessary) illness or injury.

Such time also can be used for the above-mentioned family members for the purpose of providing or receiving assistance because of sexual assault, domestic abuse or stalking.

Advanced but unaccrued sick days will be deducted from the employee's final paycheck, to the extent permitted by state law.

21-6. Minneapolis Sick And Safe Time

Eligibility

Innowave Marketing Group provides Sick and Safe Time (SST) to employees who perform work within the City of Minneapolis for at least 80 hours in a year. For employees who work in Minneapolis who are eligible for sick time under the general Sick Days policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin to accrue SST on July 1, 2017 or at the start of employment, whichever is later. Employees accrue one (1) hour for every 30 hours worked, up to a maximum annual accrual of 48 hours. Additionally, the employee's total SST accrual balance may not exceed 80 hours at any time ("overall accrual cap"). Exempt employees will be presumed to work 40 hours in each workweek for accrual purposes unless their normal workweek is less than 40 hours, in which case accrual will be based on that normal workweek. For purposes of this policy, the year is the 12-month period beginning January 1 and ending on December 31.

Usage

Employees can begin to use accrued SST following their 90th calendar day of employment. SST must be taken in a minimum increment of four (4) hours.

The employee may use SST for the following reasons:

1. due to medical or mental health emergencies and/or the mental or physical illness, injury or health condition for/of the employee or family member; or for preventative medical care or medical diagnosis, treatment or recuperation of the employee or family member;
2. absences due to domestic violence, sexual assault or stalking of the employee or employee's family member, provided the absence is for medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault or stalking; to obtain services from a victim services organization; to obtain psychological or other counseling; to relocate due to domestic violence, sexual assault or stalking; or to take legal action, including preparing for or participating in any civil or criminal proceedings related to or resulting from domestic violence, sexual assault or stalking;
3. the closure of the employee's place of business by order of a public official to limit exposure to an

- infectious agent, biological toxin or hazardous material or other public health emergency;
4. to accommodate the employee's need to care for a family member whose school or place of care has been closed by order of a public official to limit exposure to an infectious agent, biological toxin or hazardous material or other public health emergency; or
 5. to accommodate the employee's need to care for a family member whose school or place of care has been closed due to inclement weather; loss of power, heating or water; or other unexpected closure.

For purposes of this policy, family member means the employee's child, step-child, adopted child, foster child, adult child, spouse, registered domestic partner, sibling, parent, step-parent, mother-in-law, father-in-law, grandchild, grandparent, guardian, ward or a person who currently resides in the employee's home.

Unless advised otherwise by the employee, Innowave Marketing Group will assume, subject to applicable law, that employees want to use available SST for absences for reasons set forth above and employees will be paid for such absences to the extent they have SST available.

Upon request of the employee, Innowave Marketing Group will provide information (in writing or electronically) regarding the employee's accrued and available SST and used SST.

Notice and Documentation

When the need to use SST is foreseeable, employees must provide seven (7) days advance notice to enter the request in Gusto. When the need to use SST is not foreseeable, employees must provide notice to enter the request in Gusto as soon as practicable. Employees who know that their absence will exceed one (1) day should also indicate the day that they expect to return to work. Employees may be required to confirm, either verbally or in writing, that they used SST for a reason covered under this policy. For SST of more than three (3) consecutive work days, employees may also be required to provide reasonable documentation that SST was taken for a covered reason, such as a note from a health care provider or a receipt of health care services provided. Innowave Marketing Group reserves the right to delay payment for SST if there is clear evidence of misuse or until documentation requested (for an absence of more than three (3) consecutive work days) has been provided.

Payment

SST is paid at the same hourly rate as employee's regular rate of pay (including shift differentials, if applicable, but not including overtime payments or any special forms of compensation such as lost tips, incentives, commissions, premium payments or bonuses) for the hours the employee was scheduled to work during the time SST is used, unless otherwise required by applicable law. Use of SST is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Accrued, unused SST may be carried over, but as indicated above, there is an overall accrual cap of 80 hours. Once the overall accrual cap is reached, SST will stop accruing until some SST is used. Accrued, unused SST will not be paid upon separation.

Enforcement and Retaliation

Employees may be subject to discipline for using SST for a reason other than the covered reasons above, to the maximum extent permitted by applicable law. Retaliation against employees who request or use earned SST is prohibited. Employees have the right to file a complaint with the City of Minneapolis Labor Standards

Enforcement Division if they believe they have been denied SST, retaliated against, or that their rights to SST has been otherwise interfered with or restrained.

Employees with questions regarding this policy can contact Human Resources hr@innwavemarketing.com.

21-7. Lactation Breaks

Innowave Marketing Group will provide a reasonable amount of break time to accommodate employees desiring to express breast milk for their infant child, in accordance with and to the extent required by applicable law. The break time, if possible, must run concurrently with rest and meal periods already provided. If the break time cannot run concurrently with rest and meal periods already provided, the break time will be unpaid, subject to applicable law.

To provide privacy, Innowave Marketing Group will make reasonable efforts to provide employees with the use of a room or location in close proximity to the work area, other than a bathroom or a toilet stall, that is shielded from view and free from intrusion by coworkers and the public and that includes access to an electrical outlet. This location may be the employee's private office, if applicable. Innowave Marketing Group may not be able to provide additional break time if doing so would seriously disrupt Innowave Marketing Group's operations, subject to applicable law. Employees should consult Human Resources hr@innwavemarketing.com if they have questions regarding this policy.

Employees should advise management if they need break time and an area for this purpose. Employees will not be discriminated against or retaliated against for exercising their rights under this policy.

21-8. Crime Victims Leave

Employees who are victims of a violent crime and are subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony may be granted reasonable time off from work without pay to attend criminal proceedings related to the victim's case. Employees who are a victim's spouse or immediate family member may be granted reasonable time off from work without pay to attend criminal proceedings related to the victim's case.

Employees must give 48 hours' advance notice of the request for time off pursuant to this policy, unless impracticable or an emergency prevents the employee from doing so.

Upon request, the employee must provide verification that supports the employee's reason for being absent from the workplace. All information related to the employee's leave pursuant to this section shall be kept confidential by Innowave Marketing Group.

21-9. Family Military Leave

Any employee who is the grandparent, parent, legal guardian, sibling, child, grandchild, spouse, fiancé or fiancée of a member of the United States armed forces who has been ordered into active service in support of a war or other national emergency ("mobilized service member") is eligible for an unpaid leave of absence of up to one (1) day per calendar year in order to attend a send-off or homecoming ceremony for the mobilized service member. Employees are asked to give Innowave Marketing Group as much notice of their

intent to take this leave as is practicable under the circumstances.

Additionally, any employee who is the parent, child, grandparent, sibling or spouse of a member of the United States armed forces who has been injured or killed while engaged in active service is eligible for an unpaid leave of absence for up to 10 days. The employee must give Innowave Marketing Group as much notice of intent to take this leave as is practicable. Any accrued paid time off which is used during this period will run concurrently with leave under this policy and will not extend the length of leave.

21-10. Family And Medical Leave

Employees may be entitled to a leave of absence under the Family and Medical Leave Act ("FMLA") and/or the Minnesota Pregnancy & Parental Leave Act ("MPPLA"). This policy provides employees with information concerning FMLA and/or MPPLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA and/or MPPLA leave, they should contact Human Resources hr@innwavemarketing.com.

I. Eligibility

FMLA leave is available to "FMLA eligible employees." To be an "FMLA eligible employee," the employee must: 1) have been employed by Innowave Marketing Group for at least 12 months (which need not be consecutive); 2) have been employed by Innowave Marketing Group for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

Special hours of service eligibility requirements apply to airline flight crew employees.

MPPLA is available to "MPPLA eligible employees." To be an "MPPLA eligible employee," the employee must: 1) have been employed by Innowave Marketing Group for at least 12 months; 2) have worked at least half the full-time equivalent position for his/her job during the 12-month period immediately preceding the request for leave; and 3) have worked for an employer that has 21 or more employees at any single location.

II. Entitlements

The FMLA and MPPLA provide eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.

A. Basic FMLA and MPPLA Leave Entitlement

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on a rolling 12-month period measured backward from the date the employee uses their FMLA leave. The MPPLA provides eligible employees up to 12 workweeks of unpaid leave for: (i) the birth or placement for adoption of a child; or (ii), if a female employee, for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions.

MPPLA leave for the birth or adoption of a child may begin not more than 12 months after the birth or adoption, except that where the child must remain in the hospital longer than the mother, the leave may not begin more than 12 months after the child leaves the hospital. It is Innowave Marketing Group's policy to provide the greater leave benefit provided under the FMLA or MPPLA and to run leave concurrently under the FMLA and MPPLA whenever possible. Leave may be taken for any one, or for a combination, of the

following reasons:

- To care for the employee's child after birth, or placement for adoption (or foster care - FMLA only);
- To care for the employee's spouse, son, daughter or parent (but not in-law) who has a **serious health condition** (FMLA only);
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care, childbirth, or related health condition) that makes the employee unable to perform one or more of the essential functions of the employee's job (FMLA only except MPPLA, if a female employee, for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions) and/or
- Because of any **qualifying exigency** arising out of the fact that the employee's spouse, son, daughter or parent is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserve component of the Armed Forces for deployment to a foreign country in support of contingency operations or Regular Armed Forces for deployment to a foreign country (FMLA only).

A **serious health condition** is an illness, injury, impairment or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, incapacity due to pregnancy or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

B. Additional Military Family Leave Entitlement (Injured Servicemember Leave) (FMLA only).

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered servicemember** is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single 12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "**covered servicemember**" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." **Covered servicemembers** also include a veteran who is discharged or released from military service under conditions other than dishonorable at any time during the five year period preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

C. Intermittent Leave and Reduced Leave Schedules.

FMLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees are also entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member, or the serious injury or illness of a covered servicemember. Leave due to qualifying exigencies may also be taken on an intermittent or reduced schedule basis.

D. No Work While on Leave.

The taking of another job while on FMLA/MPPLA leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by applicable law.

E. Protection of Group Health Insurance Benefits.

During FMLA/MPPLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work. However, if leave is solely pursuant to MPPLA, the employee may be required to pay the full health insurance premium during leave.

F. Restoration of Employment and Benefits.

At the end of FMLA/MPPLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause Innowave Marketing Group substantial and grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. Innowave Marketing Group will notify employees if they qualify as "key employees," if it intends to deny reinstatement and of their rights in such instances. Use of FMLA/MPPLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA/MPPLA leave.

G. Notice of Eligibility for, and Designation of, FMLA Leave.

Employees requesting FMLA leave are entitled to receive written notice from Innowave Marketing Group telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) Innowave Marketing Group's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

Innowave Marketing Group may retroactively designate leave as FMLA leave with appropriate written notice to employees provided Innowave Marketing Group's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, Innowave Marketing Group and employee can mutually agree that leave be retroactively designated as FMLA leave.

III. Employee FMLA/MPPLA Leave Obligations.

A. Provide Notice of the Need for Leave.

Employees who wish to take FMLA/MPPLA leave must timely notify Innowave Marketing Group of their need for FMLA/MPPLA leave. The following describes the content and timing of such employee notices.

1. Content of Employee Notice.

To trigger FMLA leave protections, employees must inform Human Resources hr@innwavemarketing.com of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow Innowave Marketing Group to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;
- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status to a foreign country; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to Innowave Marketing Group's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which Innowave Marketing Group has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

2. Timing of Employee Notice

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide Innowave Marketing Group notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

Employees must provide at least two weeks' advance notice of the need to take MPPLA leave. Employees who fail to give at least two weeks' notice without a reasonable excuse for the delay, or otherwise fail to satisfy MPPLA notice obligations, may have MPPLA leave delayed or denied, to the extent permitted by applicable law.

B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules.

When planning medical treatment, employees must consult with Innowave Marketing Group and make a reasonable effort to schedule treatment so as not to unduly disrupt Innowave Marketing Group's operations, subject to the approval of the employee's health care provider. Employees must consult with Innowave Marketing Group prior to the scheduling of treatment to work out a treatment schedule that best suits the

needs of both Innowave Marketing Group and the employees, subject to the approval of the employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, Innowave Marketing Group may require employees to attempt to make such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, Innowave Marketing Group may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise Innowave Marketing Group of the reasons why such leave is medically necessary. In such instances, Innowave Marketing Group and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting Innowave Marketing Group's operations, subject to the approval of the employee's health care provider.

C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave).

Depending on the nature of the FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three types of FMLA medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide Innowave Marketing Group with timely, complete and sufficient medical certifications. Whenever Innowave Marketing Group requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after Innowave Marketing Group's request, unless it is not practicable to do so despite the employee's diligent, good faith efforts. Innowave Marketing Group will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. Innowave Marketing Group will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, Innowave Marketing Group (through individuals other than the employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide Innowave Marketing Group with authorization allowing it to clarify or authenticate certifications with health care providers, Innowave Marketing Group may deny FMLA leave if certifications are unclear.

Whenever Innowave Marketing Group deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

1. Initial Medical Certifications

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If

employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If Innovave Marketing Group has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at Innovave Marketing Group's expense. If the opinions of the initial and second health care providers differ, Innovave Marketing Group may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by Innovave Marketing Group and the employee.

2. Medical Recertifications

Depending on the circumstances and duration of FMLA leave, Innovave Marketing Group may require employees to provide recertification of medical conditions giving rise to the need for leave. Innovave Marketing Group will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

3. Return to Work/Fitness for Duty Medical Certifications

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide Innovave Marketing Group medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. Innovave Marketing Group may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

D. Submit Certifications Supporting Need for Military Family Leave.

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, Innovave Marketing Group may require employees to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on active duty or call to covered active duty status and the dates of the military member's covered active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, Innovave Marketing Group may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, Innovave Marketing Group may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

E. Substitute Paid Leave for Unpaid FMLA and MPPLA Leave.

Employees must use any accrued paid time while taking unpaid FMLA and/or MPPLA leave.

The substitution of paid time for unpaid FMLA and/or MPPLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with the employee's FMLA/MPPLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement. Upon written request, Innowave Marketing Group will allow employees to use accrued paid time to supplement any paid disability benefits.

F. Pay Employee's Share of Health Insurance Premiums.

During FMLA/MPPLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. However, if leave is solely pursuant to MPPLA, the employee may be required to pay the full health insurance premium during leave. Unless Innowave Marketing Group notifies employees of other arrangements, whenever employees are receiving pay from Innowave Marketing Group during FMLA/MPPLA leave, Innowave Marketing Group will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA/MPPLA leave is unpaid, employees must pay their portion of the group health premium through a method determined by Innowave Marketing Group upon leave.

Innowave Marketing Group's obligation to maintain health care coverage ceases if the employee's premium payment is more than 30 days late. If the employee's payment is more than 15 days late, Innowave Marketing Group will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse Innowave Marketing Group for the cost of the premiums Innowave Marketing Group paid for maintaining coverage during their unpaid FMLA leave.

IV. Coordination of FMLA/MPPLA Leave with Other Leave Policies.

The FMLA and MPPLA do not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights. However, whenever permissible by law, FMLA leave will run concurrently with MPPLA and any other leave provided under state or local law. For additional information concerning leave entitlements and obligations that might arise when FMLA/MPPLA leave is either not available or exhausted, please consult Innowave Marketing Group's other leave policies in this handbook or contact Human Resources hr@innwavemarketing.com.

V. Questions and/or Complaints about FMLA/MPPLA Leave.

If employees have questions regarding this FMLA/MPPLA policy, they should contact Human Resources hr@innwavemarketing.com. Innowave Marketing Group is committed to complying with the FMLA/MPPLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA/MPPLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact Human Resources hr@innwavemarketing.com immediately. Innowave Marketing Group will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the U.S. Department of Labor or may bring private lawsuits alleging FMLA violations.

21-11. Domestic Abuse Or Harassment Leave

Employees are entitled to reasonable unpaid time off to obtain or attempt to obtain an order of protection and/or other relief from a court related to domestic abuse or harassment.

The employee who is absent from the workplace shall give 48 hours' advance notice to Innowave Marketing Group except in cases of imminent danger to the health or safety of the employee or the employee's child, or unless impracticable.

Upon request, the employee must provide verification that supports the employee's reason for being absent from the workplace. All information related to the employee's leave pursuant to this section shall be kept confidential by Innowave Marketing Group.

21-12. School Conference And Activities Leave

Innowave Marketing Group will provide employees with up to 16 hours of leave during any 12-month period to attend school conferences or school-related activities related to the employee's child (including conferences related to a pre-kindergarten program or child care services), provided the conferences or school-related activities cannot be scheduled during nonwork hours. When leave cannot be scheduled during non-work hours and the need for leave is foreseeable, the employee must provide reasonable prior notice of the leave and make a reasonable effort to schedule the leave so as not to unduly disrupt Innowave Marketing Group's operations. Leave under this policy is unpaid. However, the employee may substitute accrued paid time off for leave under this policy.